

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JUDGE PATTERSON

UNITED STATES OF AMERICA

INDICTMENT

- v. -

12 Cr.

BENNY DIMARCO,
a/k/a "Vincent M. DiMarco,"
Defendant.

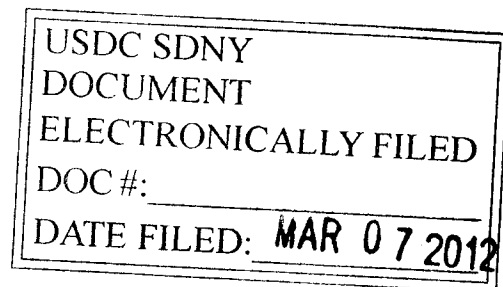
12 CRIM205

COUNT ONE

The Grand Jury charges:

1. On or about February 2, 2012, in the Southern District of New York, BENNY DIMARCO, a/k/a "Vincent DiMarco," the defendant, after having been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, knowingly did possess in and affecting commerce, a firearm, to wit, an RPB Industries M11-A1 .380 caliber firearm, which previously had been shipped and transported in interstate and foreign commerce.

(Title 18, United States Code, Section 922(g)(1).)



COUNT TWO

The Grand Jury further charges:

2. On or about February 2, 2012, in the Southern District of New York, BENNY DIMARCO, a/k/a "Vincent DiMarco," the defendant, knowingly did transport, ship, and receive, in interstate and foreign commerce, a firearm which had had the importer's and manufacturer's serial number removed, obliterated, and altered and did possess and receive a firearm which had had the importer's and manufacturer's serial number removed, obliterated, and altered, and had previously been shipped and transported in interstate commerce, to wit, an RPB Industries M11-A1 .380 caliber firearm, which previously had been shipped and transported in interstate and foreign commerce, and which had its serial number defaced.

(Title 18, United States Code, Section 922(k).)

COUNT THREE


The Grand Jury further charges:

3. On or about February 2, 2012, in the Southern District of New York, BENNY DIMARCO, a/k/a "Vincent DiMarco," the defendant, knowingly did receive and possess a firearm which was not registered to him in the National Firearms Registration and

Transfer Record, to wit, a silencer attached to an RPB
Industries M11-A1 .380 caliber firearm.

(Title 26, United States Code, Sections 5845(a), 5861(d).)

 3/7/12
FOREPERSON


PREET BHARARA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

BENNY DIMARCO,
a/k/a "Vincent DiMarco,"

Defendant.

INDICTMENT

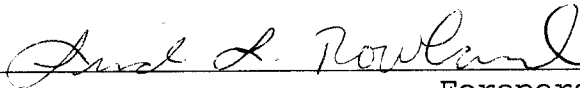
12 Cr.

(18 U.S.C. §§ 922(g) and (k); 26 U.S.C.
§ 5861(d))

PREET BHARARA

United States Attorney.

A TRUE BILL



Foreperson.

MB
March 7, 2012
Indictment filed case assigned to
Judge Patterson for all purposes... Ellis, USMS